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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/535,295

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Zsolt Saffer

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

GADDY, BENJAMIN E

ART UNIT

PAPER NUMBER

4181

MAIL DATE

DELIVERY MODE

01/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/535,295	Applicant(s) SAFFER, ZSOLT	
	Examiner Benjamin E. Gaddy	Art Unit 4181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/3/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because the flowcharts and block diagrams are not adequately labeled. Though the drawings feature numerical labels, this does not make them clear or easily understood. Proper labeling of flowcharts and block diagrams could include labeling, in English text, the function of each component or step in a process. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Speech recognition using language properties including segmentation and context information."

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11, 12, and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 11, 12, and 13 are directed towards a computer program product, a computer program product, and a computer running computer code, which do not fall into a recognized statutory category. Examples of acceptable preambles include: "a computer readable medium encoded with computer executable instructions" or "a computer readable medium having a stored computer program."

Furthermore, claims 11, 12, and 13 are hybrid claims. The claims are directed towards a manufacture, manufacture, and machine, which depend on a claim to a process. This is not permissible.

For the purposes of examination, it will be assumed that the applicant intended to claim a computer-readable article of manufacture embodying the claimed code in an independent claim including the limitations of the claim from which each initially depended. This would make claims 12 and 13 substantially duplicates of claim 11.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-6, and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (US 5,054,084).

Consider claims 1, 6, 11, 12, and 13 (and the above 101 rejections): Tanaka discloses a speech recognition device for recognizing text information corresponding to speech information (**see Col. 2, lines 16-25, where Tanaka discusses an apparatus for voice recognition**), which speech information can be characterized in respect of language properties, wherein first language-property recognition means are provided that, by using the speech information, are arranged to recognize a first language property and to generate first property information representing the first language property that is recognized (**see Col. 2, lines 42-50, where Tanaka discusses phonologically characterized segments**), wherein at least second language-property recognition means are provided that, by using the speech information, are arranged to recognize a second language property of the speech information and to generate second property information representing the second language property that is recognized (**see Col. 2, lines 20-25, where Tanaka discusses a syllable recognition unit**), and wherein speech recognition means are provided that are arranged to recognize the text information corresponding to the speech information by continuously taking into account at least the first property information and the second property information (**see Col. 3, lines 19-30, where Tanaka discusses voice recognition to form a character array**).

Consider claims 3 and 8: Tanaka discloses speech recognition means are arranged to recognize the text information with a delay of at least a time-span that is required by the at

least two language-property recognition means for the generation of the at least two items of property information during which time-span a part of the speech information is used by the at least two language-property recognition means to generate the at least two items of property information, which text information corresponding at least to a sub-area of that part of the speech information used to generate the at least two fed items of property information **(see Figure 3, and Col. 4, lines 42-55, where Tanaka discusses buffers for storing information before completing the recognition process, therefore a delay).**

Consider claims 4 and 9: Tanaka discloses one item of property information generated with the help of language-property recognition means can be fed to other language-property recognition means and wherein the other language-property recognition means are arranged to take into account the at least one item of property information that is fed to them when recognizing the language property of the speech information and when generating the property information **(see Figure 3, where the lattice portion (20) is dependent on input from the segment portion (16) and the syllable portion (17 & 18), and Col. 4, line 55 – Col. 5, line 15, where Tanaka explains the comparison process).**

Consider claims 5 and 10: Tanaka discloses the other language-property recognition means are arranged to recognize the language property with a delay of at least a time-span that is required for the generation of the at least one item of property information that is fed to them, during which time-span a part of the speech information is used by the language-property recognition means to generate the at least one item of property information that is fed to them, said language property characterizes at least a sub-area of that part of the speech information that is used to generate the at least one fed item of property information **(see**

Figure 3, and Col. 4, lines 42-55, where Tanaka discusses buffers for storing information before completing the recognition process, therefore a delay).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,054,084) in view of Chandler (US 6,466,491).

Consider claims 2 and 7: Tanaka discloses receiving means are provided that are arranged to receive the speech information via at least two recognizable reception channels, wherein reception-channel recognition means are provided that are arranged to recognize the reception channel being used at the time to receive the speech information and to use channel information representing the reception channel recognized, and wherein at least one of the at least two language-property recognition means and the speech recognition means are/is arranged to take into account the channel information (see Col. 2, lines 55-64, where **Tanaka discusses limiting the bandwidth, according to the frequency band to be used, therefore capable of accepting multiple reception channels).**

Tanaka does not specifically disclose generating channel information, however Chandler discloses generating channel information (see Col. 4, lines 7-25, where **Chandler discusses**

a channel identifier and generating a identified tag). It would have been obvious to one skilled in the art at the time the invention was made to modify the invention of Tanaka, and use generating channel information as taught by Chandler, thus allowing speakers to be distinguished and speech statements to be attributed correctly, as discussed by Chandler (see **Col. 3, lines 6-12**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E. Gaddy whose telephone number is (571) 270-5134. The examiner can normally be reached on M-TH 9am - 4pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin E. Gaddy

/Nick Corsaro/

Supervisory Patent Examiner, Art Unit 4181